



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION DOCKET FILE COPY ORIGINAL
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December 23, 1999

Magalie R. Salas, Secretary
Office of the Secretary
Federal Communications Commission
Portals II
445 Twelfth Street, S.W.
Suite TW-A325
Washington, D.C. 20554

96-98
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DEC 27 1999

FCC MAIL ROOM

RE: Petition of the Pennsylvania Public Utility Commission for Delegated Authority to Implement Number Conservation Measures

Dear Ms. Salas:

Enclosed for filing in the above matter please find one original and six copies of the Pennsylvania Public Utility Commission's Petition for Delegated Authority to Implement Number Conservation Measures. Kindly stamp one copy and return it to us in the enclosed stamped, self-addressed envelope.

Sincerely,

Deanne M. Brutts

Deanne M. Brutts
Assistant Counsel

Enclosure

cc: per certificate of service

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Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of)
)
Petition for Declaratory Ruling and)
Request for Expedited Action on)
July 15, 1997 Order of the Pennsylvania)
Public Utility Commission Regarding)
Area Codes 412, 610, 215 and 717)
)
)
Implementation of the Local Competition)
Provisions of the Telecommunications)
Act of 1996)
)

NSD File No. L-97-42

CC Docket No. 96-98

**PETITION OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION
FOR DELEGATED AUTHORITY
TO IMPLEMENT NUMBER CONSERVATION MEASURES**

Through this Petition for Delegated Authority to Implement Number Conservation Measures, the Pennsylvania Public Utility Commission (PAPUC) requests that the Federal Communications Commission (Commission) delegate to it authority to implement various number conservation measures pursuant to paragraphs 30 and 31 of what is commonly referred to as the *Pennsylvania Numbering Order*.¹ Specifically, the PAPUC respectfully requests that the Commission grant it the authority to:

1. implement mandatory thousand-block number pooling,
2. establish utilization thresholds at the NXX and/or the thousand-block levels,

¹ *In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, 717; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Memorandum Opinion and Order and Order on Reconsideration, CC Docket No. 96-98, 13 FCC Rcd 19009, 190029-31 (1999).*

3. implement NXX code sharing,
4. reclaim unused and reserved NXX codes,
5. order the return of unused or underutilized portions of NXX codes,
6. revise rationing procedures (including authority to implement rationing plans prior to arriving at an area code relief plan, authority to require carriers to assign numbers from an NXX code to end users within six months of receiving the code, and authority to order continuation of a rationing plan for six months following implementation of area code relief),
7. order all LNP-compliant carriers to implement both unassigned number porting (UNP) and individual telephone number pooling (ITN), and order carriers to expand deployment of local number portability (LNP), and
8. implement service-specific and technology-specific NPA overlays.

BACKGROUND

Both federal and state statutes have created the opportunity for new telephone companies to compete against existing companies for local telephone business.² These statutes were designed to foster competition in the telecommunications marketplace with the hope of ultimately lowering prices and improving choices for consumers. Unfortunately, the infrastructure of the telephone system was created and designed for a monopoly market, and it has not yet been adapted to meet the demands of a competitive marketplace. This has been problematic, in particular, as the initial success of the legislation, combined with a proliferation of fax machines, computer modems, cellular phones, and

²See, The Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C. § 251(e)(1), and Chapter 30 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 3001-3009.

competitive carriers in the local service market, has created an unprecedented demand for NXX codes in Pennsylvania and nationwide.

The industry's Central Office Code Administrator (Code Administrator) is the entity responsible for assigning central office (CO) codes to telecommunications service providers; the Code Administrator also serves as the NPA Relief Coordinator when a jeopardy situation exists. Central office codes are the three digits following the area code in a 10-digit telephone number. CO codes are commonly called "exchanges" or "NXXs" (because only numbers 2 through 9 can be used for the first of those digits, the "N" is any number 2 through 9, and the "X" is any number 0 through 9). When NXXs appear to be in short supply, the Code Administrator is responsible for attempting to get industry agreement on various options to relieve the situation. Area codes are associated with specific geographic locations known as "numbering plan areas" (NPAs).

A major reason for the ever decreasing amount of NXXs is the inefficient manner in which numbers are currently assigned to telecommunications carriers. The provision of local service requires that a carrier have access to telephone numbers in that local calling rate center.³ Under the current infrastructure, telephone numbers are assigned to carriers in blocks of 10,000 (which is the equivalent of one NXX code because each NXX has 10,000 number combinations available using the last four digits of the phone number). Consequently, even if a carrier has only 10 customers, 10,000 numbers are still assigned in that area code causing 9,990 numbers to remain unused and unavailable.

³ A rate center is comprised of a group of NXXs with the same coordinates. Rate centers were originally established in response to a need for a fixed point within each exchange that would ensure consistent mileage measurements between exchanges and, therefore, consistent billing for long-distance services. In addition to this, the NPA-NXX code and corresponding assigned rate center are used to determine the rates and charges for switched access and special services.

If the telecommunications industry cannot come to a consensus about how to deal with number depletion in an NPA that has been declared to be in jeopardy, then a petition is filed with the state regulatory commission requesting that it determine what relief is appropriate. While the Commission maintains plenary jurisdiction over numbering issues in the United States, it has delegated some authority to the states to implement area code relief plans and, most recently, to implement number conservation measures. By briefly exploring the authority delegated to the states by the Commission and the PAPUC's attempts to deal with number depletion, the PAPUC hopes to demonstrate why the Commission should grant the instant request for additional delegated authority to implement number conservation measures consistent with relief already provided to other jurisdictions.

A. Delegation of Authority to States to Implement Area Code Relief Plans

The Communications Act of 1934, as amended by the Telecommunications Act of 1996 (TA-96), 47 U.S.C. § 251(e)(1), gave the Commission plenary jurisdiction over numbering issues that pertain to the United States. TA-96 also gave the Commission authority to delegate telecommunication numbering administration functions to the states. In the *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Second Report and Order and Memorandum Opinion and Order*, CC Docket No. 96-98, 11 FCC Rcd 19392 (1996) (*Local Competition Second Report and Order*), the Commission delegated to the state commissions authority to implement new area codes but retained broad authority to set policy with respect to all facets of numbering administration in the United States. Pursuant to this delegation of authority, the states

could implement appropriate forms of area code relief only but could not allocate or assign NXX codes⁴.

B. Pennsylvania's Attempt to Implement Area Code Relief

Between March of 1996 and June of 1996, the NPA Relief Coordinator filed petitions with the PAPUC to address the depletion of NXX codes in the 412, 215, 610, and 717 NPAs. On July 15, 1997, the PAPUC entered an order addressing NXX code depletion in these four NPAs through several means. First, the PAPUC required the Code Administrator to ration NXX codes in the 215, 610, and 717 NPAs at the rate of three per month. Second, the PAPUC ordered a geographic split⁵ for the 412 NPA while transparent area code overlays⁶ and eventually number pooling were ordered for the 610, 215, and 717 NPAs. Third, the PAPUC sought to implement NXX-X/LRN⁷ once local number portability (LNP)⁸ became available (after carriers implemented LNP, the transparent area codes would be returned to the North American Numbering Plan⁹). Finally, the July 15, 1997 order also imposed certain restrictions on NXX code assignment and mandated the return of certain NXX

⁴ An NXX or central office (CO) code is the first three digits of a standard 7-digit telephone number. It is assigned to a rate center and is used as the basis in rating and routing calls throughout the North American Numbering Plan Area. Currently, in Pennsylvania, a whole NXX code (10,000 numbers) is assigned to each entity desiring to provide local service in a given rate center.

⁵ A geographic split involves dividing an existing NPA into two or more parts with one part retaining the old area code and the others being assigned new area codes. Local calling areas do not change, however, a call that crosses any area code boundary would have to be made using 11 digits ("1" plus the area code plus the number).

⁶ A transparent area code overlay is the use of NXX codes from a "temporary, transparent, and fictitious" new area code for any new NXX codes needed. Numbers from the transparent area codes would be reached by using remote call forwarding. This was intended to be an interim measure to help relieve the need for additional NXX codes and it was optional for competitive local exchange carriers and for wireless carriers.

⁷ NXX-X/LRN is a method of assigning an NXX to a particular rate center and allows assignments of 1,000-number blocks to different carriers by using the mechanisms and infrastructure provided by local number portability.

⁸ Local number portability (LNP) is a number conservation method that allows consumers to keep their numbers if they change carriers but do not relocate. This enables a new competitive local carrier to obtain customers without having to secure a full 10,000-number block of numbers in one NXX code.

⁹ North American Numbering Plan (NANP) defines the telephone numbering system that is used in North American countries (i.e., NPA-NXX-XXXX)

codes. In May of 1998, the PAPUC entered another order which established a geographic split for the 717 area code and created two new area codes for the existing 215 and 610 NPAs.

Pennsylvania's implementation of area code relief in these orders was challenged by three wireless carriers through a Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717, CC Docket No. 69-98.¹⁰ In essence, the wireless carriers objected to the PAPUC directing implementation of pooling in the 215/610 and 717 NPAs as an alternative to directing an immediate geographic split or overlay. The wireless appellants contended that they would be unable to obtain sufficient numbering resources (NXXs) in the absence of conventional area code relief.

C. Commission's Clarification Regarding States' Authority Over Area Code Relief and Number Conservation

On September 28, 1998, the Commission's decision regarding the wireless carrier's challenge to Pennsylvania's area code relief was issued.¹¹ This order has become known as the *Pennsylvania Numbering Order* and is the basis of the instant petition being filed by the PAPUC. The Commission concluded in this order that the PAPUC had exceeded its authority by instituting thousand block pooling, thousand block reclamation, the return of NXX codes, and NXX code rationing. *Pennsylvania Numbering Order*, 13 FCC Rcd at 19030. Although holding that the PAPUC exceeded its authority,

¹⁰ The Commission retained jurisdiction over state commission's decisions on area code relief by providing that parties wishing to dispute a proposed area code plan could seek relief from the Commission by filing a petition for declaratory ruling, rulemaking, or other appropriate action. *Local Competition Second Report and Order*, 11 FCC Rcd at 19520.

¹¹ *In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, 717; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Memorandum Opinion and Order and Order on Reconsideration*, CC Docket No. 96-98, 13 FCC Rcd 19009 (1999).

the Commission delegated additional authority to the PAPUC and other state commissions to order NXX code rationing in conjunction with area code relief decisions in the absence of industry consensus. *Pennsylvania Numbering Order 13 FCC Rcd at 19025*. Further, the PAPUC was delegated the authority to hear and address carriers' claims that they do not, or in the near future will not, have any line numbers remaining in their NXX codes, and will be unable to serve customers if they cannot obtain an NXX code, or that they are using or will have to use extraordinary and unreasonable costly measures to provide services. *Pennsylvania Numbering Order, 13 FCC Rcd at 19039*.

In the *Pennsylvania Numbering Order*, the Commission also recognized that the continued use of geographic splits and overlays as the only solutions to code depletion is unresponsive to the needs of consumers. *Pennsylvania Numbering Order, 13 FCC Rcd at 19023*. Based on this finding, the Commission expressly delegated to states the authority to order voluntary pooling trials but directed that the states needed to seek explicitly further limited delegations of authority to implement other innovative number conservation methods prior to implementing number conservation plans. *Pennsylvania Numbering Order 13 FCC Rcd at 19027-30*. Consequently, states were invited by the Commission to submit for approval their number conservation initiatives to the Commission that fell outside the guidelines in the *Pennsylvania Numbering Order* so that the Commission could consider delegating additional limited authority to those states. *Pennsylvania Numbering Order 13 FCC Rcd at 19030*.

D. Commission's Interim Delegation of Authority to States Regarding Area Code

Relief and Number Conservation

Many states filed petitions for delegated authority in response to the *Pennsylvania Numbering Order*. On September 15, 1999 and September 27, 1999, the Commission delegated interim authority to implement measures for mitigating telephone number depletion to five states.¹² On November 30, 1999, the Commission delegated interim authority to implement number conservation measures to five more states.¹³ All ten of these states California, Massachusetts, Florida, New York, Maine, Connecticut, New Hampshire, Ohio, Texas, and Wisconsin, were delegated the authority to do some or all of the following with respect to number conservation:

1. institute thousand block pooling trials,
2. reclaim unused and reserved NXX codes and portions of those codes,
3. maintain rationing procedures for six months following area code relief,

¹² *In the Matter of California Public Utilities Commission Petition for Delegation of Additional Authority Pertaining to Area Code Relief and NXX Code Conservation Measures*, CC Docket No. 96-98 (September 15, 1999). *In the Matter of Massachusetts Department of Telecommunications and Energy's Petition for Waiver of Section 52.19 to Implement Various Area Code Conservation Methods in the 508, 617, 781, and 978 Area Codes*, CC Docket No. 96-98 (September 15, 1999). *In the Matter of Florida Public Service Commission Petition to Federal Communications Commission for Expedited Decision for Grant of Authority to Implement Number Conservation Measures*, CC Docket No. 96-98 (September 15, 1999). *In the Matter of New York State Department of Public Service Petition for Additional Delegated Authority to Implement Number Conservation Measures*, CC Docket No. 96-98 (September 15, 1999). *In the Matter of Maine Public Utilities Commission Petition for Additional Delegated Authority to Implement Number Conservation Measures*, CC Docket No. 96-98 (September 27, 1999).

¹³ *In the Matter of Connecticut Department of Public Utility Control's Petition for Delegation of Additional Authority to Implement Area Code Conservation Measures*, CC Docket No. 96-98 (November 30, 1999). *In the Matter of New Hampshire Public Utilities Commission's Petition for Additional Delegated Authority to Implement Number Optimization Measures in the 603 Area Code*, CC Docket No. 96-98 (November 30, 1999). *In the Matter of Petition of Ohio Public Utilities Commission for Delegation of Additional Authority to Implement Number Conservation Measures*, CC Docket No. 96-98 (November 30, 1999). *In the Matter of Petition of the Public Utility Commission of Texas for Expedited Decision for Authority to Implement Number Conservation Measures*, CC Docket No. 96-98 (November 30, 1999). *In the Matter of Petition of the Public Service Commission of Wisconsin for Delegation of Additional Authority to Implement Number Conservation Measures*, CC Docket No. 96-98 (November 30, 1999).

4. establish numbering allocation standards including enforcement of those standards,
5. establish usage thresholds which includes requiring carriers to submit number utilization data so that the state can enforce and audit carrier compliance with number utilization reporting requirements,
6. require sequential number assignments,
7. implement NXX code sharing,
8. consolidation of rate centers/area, and
9. hear and address claims of carriers requesting numbering resources outside of rationing procedures.

E. The Situation in Pennsylvania

In 1994, Pennsylvania had four area codes --814, 717, 412, and 215. Over the past four years, the number of area codes has increased to nine - 814, 717, 570, 412, 724, 215, 610, 484, and 267. The only NPA that has remained untouched by the growing demand for NXX codes is the 814 NPA in western Pennsylvania. In the northeastern/central part of Pennsylvania, the 717 area code was split and the 570 area code was created effective April 8, 1999. The two NPAs that have been the major source of area code activity are 412 and 215.

In March of 1998, 412 was split to create the new 724 area code. On August 16, 1999, only seventeen months after implementation of the new NPA, 412 and 724 were declared to be in jeopardy. There are only some 176 unassigned codes remaining in the 412 NPA, and codes have been assigned at a rate of roughly five per month. On August 16, 1999, the PAPUC was provided notice that the

telecommunications industry reached a consensus decision to implement an all services multiple overlay relief plan for the 412 and 724 area codes. This will create another area code for this region and make 22.5 million numbers available to the residents of Western Pennsylvania. This is double the 11.8 million people that live in the entire state of Pennsylvania.

Much of Pennsylvania's area code activity has been and continues to be centered around the 215 NPA in southeastern Pennsylvania. The 215 area code was split on January 1, 1995 to create 610. Within 18 months in May of 1996, the Numbering Plan Area Relief Coordinator filed a petition with the PAPUC requesting area code relief for the 215/610 area codes, and the NXXs being provided had to be rationed at a level of seven per month within six months.

On June 5, 1999, Southeastern Pennsylvania received two more new area codes. Current customers were able to keep their same area code while new customers in the 215 region were assigned the new 267 overlay area code. New customers in the 610 region were assigned the 484 overlay area code. When Code assignment began in 484 in April of 1999 prior to the June implementation date, the NANPA assigned 485 NXXs out of the new overlay area code of 484. The assignment rate for 484 has been approximately 97 NXXs per month. At this time only 280 exchanges remain; if NXX assignment continues at the same rate, available numbers there will be exhausted in three months. If another area code overlay is implemented to add two more NPAs to this region, a total of 45 million numbers will be made available for assignment in ten thousand blocks.

At the present time, Pennsylvania has approximately 75 million numbers in 10 area codes even though the state's population is only 11.8 million. Based on Pennsylvania's past experience, the ever-growing demand for NXX codes is not being alleviated by the implementation of new area codes and Pennsylvania is again moving in the direction of creating even more area codes. More area codes

create more numbers that are not being utilized. For example, Bell Atlantic of Pennsylvania has informed the PAPUC that its fill of NXX exchanges is roughly 42 percent while Bell estimates that its competitors fill rate is approximately 25 percent.¹⁴ This means that in each NXX block given to Bell, 5,800 numbers are not being used. For each NXX block given to Bell's competitors, 7,500 numbers are not being used. Therefore, in this scenario, 13,300 numbers are unavailable for assignment to other carriers. Because these numbers are unavailable, new area codes creating more numbers are instituted. Number depletion is a result of increased competition in the telecommunications marketplace and an antiquated system for dealing with the skyrocketing demand for numbers. Through various number conservation methods, Pennsylvania can begin to deal with these problems. First, however, Pennsylvania needs the Commission to delegate the necessary authority to implement number conservation measures. Without these measures, Pennsylvania will continue to experience chronic NXX code shortages as well as escalated social and economic burdens.

AUTHORITY REQUESTED BY THE PAPUC

The PAPUC requests the authority to investigate and undertake any or all of a variety of number conservation measures that are designed to conserve numbers without anticompetitive consequences and without favoring one type of provider or technology over another. The PAPUC realizes that efforts are being made to develop national number conservation guidelines and agrees that national guidelines represent the optimal solution to this ongoing problem. However, pending a national solution, the delegation of the additional authority as requested in this petition will enable

¹⁴ See The Joint Application of Bell Atlantic Corporation and GTE Corporation for Approval of Agreement and Plan of Merger (expurgated version), PAPUC Docket Nos. A-310200F002, A-311350F0002, A-310222F002, and A-310291F0003, p. 38.

Pennsylvania to act quickly to avoid the escalation of NXX shortages already being experienced and anticipated.

The following paragraphs detail the number conservation methods that the PAPUC hereby requests authority to implement:

A. Authority to Implement Mandatory Thousand-Block Number Pooling

The PAPUC seeks authority to implement mandatory thousand-block number pooling. Thousand-block pooling involves the allocation of blocks of 1,000 sequential telephone numbers within the same NXX to different service providers serving customers within the same rate area. All 10 thousand-number blocks within each NXX would continue to be assigned to one rate center but would be allocated among multiple service providers at the thousand-block (NXX-X) level.

The Commission has concluded that thousand-block pooling is an important numbering resource optimization strategy essential to extending the life of the NANP. Moreover, the telecommunications industry has arrived at detailed guidelines governing the technical and administrative functioning of thousand block number pooling. Given the successful implementation of a number pooling trial in Illinois, where approximately 1,370,000 numbers have been conserved as of June 1999 in the 312 area code¹⁵, the PAPUC is confident that number pooling could potentially bring similar benefits to the citizens of Pennsylvania.

¹⁵ See *The New Hampshire Public Utilities Commission's Petition for Additional Delegated Authority to Implement Number Optimization measures in the 603 Area Code*, CC Docket No. 96-98 (granted November 30, 1999.) See *In the Matter of New Hampshire Public Utilities Commission's Petition for Additional Delegated Authority to Implement Number Optimization Measures in the 603 Area Code*, CC Docket No. 96-98 (November 30, 1999)

The PAPUC understands that any grant of authority by the Commission to undertake a thousand block pooling trial is interim in nature and is in no way intended to relieve the PAPUC of its obligation to implement necessary area code relief in a timely fashion. Further, the PAPUC understands that whatever decisions the Commission reaches with regard to thousand block pooling administration and guidelines will supersede whatever systems the PAPUC puts in place prior to those rules. However, Pennsylvania is now at a point to begin implementing these arrangements to alleviate the very real problems currently facing the citizens of Pennsylvania.

B. Authority to Establish Utilization Thresholds at Either the NXX and/or the Thousand-Block Levels

The PAPUC requests the authority to establish minimum fill rates which carriers would have to meet in order to be assigned more numbering resources and the authority to require proof of those fill rates. Fill rates pertain to the establishment of utilization levels for either NXX codes or thousand-blocks that carriers would have to achieve before any provider could request another NXX code or thousand-number block for assigning numbers to additional new customers. Currently, carriers may assign numbers throughout the NXX code. This random assignment of numbers results in the rapid “contamination” of blocks.

In Pennsylvania, for example, AT&T, TCG (a subsidiary of AT&T) and MCI alone hold 351 NXX's which is approximately 3.5 million numbers.¹⁶ Numbers that are not used in these blocks are contaminated and cannot be assigned to other carriers. With the authority to establish minimum fill

¹⁶ See The Joint Application of Bell Atlantic Corporation and GTE Corporation for Approval of Agreement and Plan of Merger (expurgated version), PAPUC Docket Nos. A-310200F002, A-311350F0002, A-310222F002, and A-310291F0003.

rates, the PAPUC would be able to ensure that the available NXX codes are available for use by other carriers.

C. Authority to Implement NXX Code Sharing

The PAPUC requests the authority to implement NXX code sharing. This would allow an NPA-NXX associated with a specific rate center to be distributed among the various service providers that serve that rate center. For example, if there were 10 carriers serving subscribers in a given rate center, the NPA-NXX would be assigned by thousand blocks to a specific switch in each service provider's network. Accordingly, switches would be identified by NPA-NXX-X rather than by the current 6-digit (NPA-NXX) identification.

D. Authority to Reclaim Unused and Reserved NXX Codes

The PAPUC requests authority to order carriers to return unused NXX codes to the Code Administrator. The CO Code Assignment Guidelines provide that carriers shall activate NXXs within six months of the "initially published effective date." *Central Office Code (NXX) Assignment Guidelines*, INC 95-040407-0008 (rev. April 26, 1999) at § 6.3.3. The PAPUC seeks authority to investigate whether code holders have activated NXXs assigned to them within the time frames specified in the CO Code Assignment Guidelines, to request proof from all code holders that NXX codes have been placed in service, and to direct the NANPA to reclaim NXXs that the PAPUC determines have not been activated in a timely manner. This will serve to prolong the life of an area code because reclaimed codes are added to the total inventory of assignable NXX codes in the affected NPA.

E. Authority to Order the Return of Unused or Under-Utilized Portions of NXX Codes

The PAPUC requests authority to order the return of unused or under-utilized portions of NXX codes to a pooling administrator, assuming that the PAPUC obtains from the Commission authority to implement number pooling. Reclaiming blocks of 1,000 numbers with no or a relatively low contamination rate, has the potential to add significant numbering resources in areas where thousand block number pooling has been implemented. This authority is necessary in conjunction with number pooling trials because number pooling cannot work effectively or efficiently if carriers are allowed to retain such blocks of unused numbers within an NXX code.

F. Authority to Revise Rationing Procedures (Including Authority to Implement Rationing Plans Prior to Arriving at an Area Code Relief Plan, Authority to Require Carriers to Assign Numbers From an NXX Code to End Users Within Six Months of Receiving the Code, and Authority to Order Continuation of a Rationing Plan for Six Months Following Implementation of Area Code Relief)

The PAPUC also seeks authority to revise NXX rationing procedures now in effect. Specifically, the PAPUC requests authority to (1) initiate rationing prior to arriving at an area code relief plan (2) require carriers to assign numbers from an NXX code to end users within six months of receiving the code, and (3) to order the continuation of a rationing plan for six months following the implementation of area code relief

The PAPUC realizes that it may order and revise rationing processes where it has ordered area code relief and established a relief date, or where the industry has been unable to reach consensus on a rationing plan. The PAPUC would not use rationing as a substitute for area code relief, rather, the PAPUC requests additional authority from the Commission so that the PAPUC can address the underlying behaviors contributing to the inefficient use of numbers in Pennsylvania.

G. Authority To Investigate and Order all LNP-Compliant Carriers to Implement Both Unassigned Number Porting (UNP) and Individual Telephone Number Pooling (ITN) and to Order Carriers to Expand Deployment of Local Number Portability (LNP)

The PAPUC requests authority to order all LNP-compliant carriers to implement Unassigned Number Porting (UNP) until such time as thousand block-pooling is implemented. UNP is a telephone number usage optimization measure where available individual telephone numbers in one service provider's inventory are ported, using LNP, to another service provider under the direction of a neutral third party coordinator for assignment by the second service provider to a specific customer.

The PAPUC also requests the authority to implement Individual Telephone Number Pooling (ITN) as an additional tool to conserve numbering resources. ITN is similar to UNP except that the pool of numbers from which carriers receive numbering resources is under the control of a pooling administrator, rather than in some other carrier's inventory. This telephone number usage optimization measure allows carriers to receive numbering resources from the pooling administrator one at a time, rather than in blocks of either a whole NXX code or a thousand-block in the case of pooling.

Both methods would be used to provide numbers to a service provider who has insufficient numbers available for assignment for a specific customer request for service within a given rate area basis. The PAPUC views the use of such interim measures (until such time as thousand-block pooling is in effect) as pro-competitive because they will allow CLECs to avoid the confusion associated with introducing a new NXX into a local area, especially in areas that have been served by a single NXX code for many years. Further, both methods have the dual benefit of not using another whole NXX for a small exchange and optimizing the utilization of numbers in the small exchange by utilizing some of the unused numbers in the existing NXX.

Because both methods are dependent on the ability of carriers to be LNP-compliant, the PAPUC also requests authority to order carriers to expand deployment of LNP so that both UNP and ITN can be more effectively utilized. With the authority to order carriers to expand deployment of LNP, both number conservation tools would be available on a more wide-spread basis which would have a greater impact on the PAPUC's authority to conserve numbers.

H. Authority To Implement Service-Specific And Technology-Specific NPA Overlays

The PAPUC seeks the authority to implement service-specific and technology-specific NPA overlays where such overlays are found to be in the public interest. In addition to a wireless-only overlay, service-specific or technology-specific overlays could be used to place all lines without public telephone number associations such as point-of-sale terminals, remote automatic teller machines, coin-operated telephones, and known data-only lines in a separate area code. Clearly, service-specific and technology-specific overlays could be used to extend the lives of the area codes.

CONCLUSION

The current numbering crisis in Pennsylvania and nationwide is a result of increased competition in the telecommunications marketplace and an antiquated system for dealing with the skyrocketing demand for numbers. Absent the ability to deal with this crisis, Pennsylvania, its citizens, and its telephone network will continue to be in perpetual turmoil, barely able to reprogram to include a new area code before another is required.

The PAPUC respectfully requests that the Commission grant this petition so that the PAPUC can ensure more efficient number resource utilization. With more efficient number resource utilization, Pennsylvania telecommunications consumers and companies can be protected from the ordeal and expense of unnecessary area code relief measures. Finally, the exercise of this additional authority would allow Pennsylvania to more effectively participate in the ongoing efforts to preserve the dwindling national resource in area codes and telephone numbers.

Respectfully submitted,

PENNSYLVANIA PUBLIC UTILITY
COMMISSION

By its counsel:

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Assistant Counsel

Frank B Wilmarth
Deputy Chief Counsel

Bohdan R. Pankiw
Chief Counsel

Dated: December 23, 1999

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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Provisions of the Telecommunications)	CC Docket No. 96-98
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CERTIFICATE OF SERVICE

I, Deanne M. Brutts, hereby certify that I have on this 23rd day of December, 1999, served an original and six true and correct copies of the Petition of the Pennsylvania Public Utility Commission for Additional Delegated Authority to Implement Number Conservation Measures upon the Secretary of the Federal Communications Commission by Overnight United Parcel Service and that I have served a true and correct copy of the Petition upon the other persons listed below by first class mail.

Via Overnight UPS:

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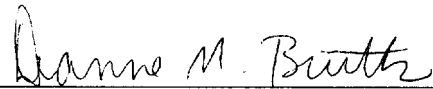
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A handwritten signature in cursive script, reading "Deanne M. Brutts", positioned above a horizontal line.

Deanne M. Brutts
Assistant Counsel
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